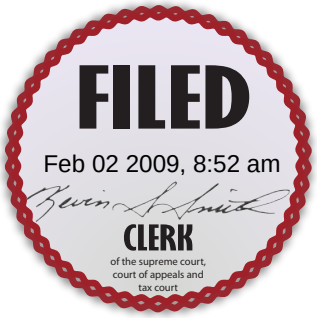

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IN THE
COURT OF APPEALS OF INDIANA

IN RE THE MATTER OF THE TERMINATION OF THE PARENT-CHILD RELATIONSHIP OF C.S., A MINOR CHILD,	)	
CHRISTOPHER WARREN,	)	
Appellant-Respondent,	)	
vs.	)	No. 27A04-0808-JV-467
DEPARTMENT OF CHILD SERVICES, GRANT COUNTY OFFICE,	)	
Appellee-Petitioner.	)	

APPEAL FROM THE GRANT SUPERIOR COURT
The Honorable Randall L. Johnson, Judge
Cause No. 27D02-0609-JT-545

February 2, 2009

MEMORANDUM DECISION - NOT FOR PUBLICATION

VAIDIK, Judge

Case Summary

Christopher Warren ("Father") appeals the involuntary termination of his parental rights to his son, C.S., claiming there is insufficient evidence to support the trial court's judgment. Concluding the Grant County Department of Child Services ("GCDCS") presented clear and convincing evidence to support the trial court's judgment terminating Father's parental rights, we affirm.

Facts and Procedural History

Father is the natural father of C.S., born on April 11, 1998. C.S. was born with fetal alcohol syndrome and suffers from a physical condition requiring the use of a feeding tube. On June 5, 2004, the GCDCS received a referral from the Marion Police Department alleging then six-year-old C.S. had been left home alone. A GCDCS caseworker met police officer Mark Kilgore and C.S. at the police department. Upon seeing C.S., the caseworker immediately observed that C.S. was very small for his age and that he had a foul body odor. C.S. informed the caseworker that his mother, Karla Slagle ("Mother"), had left the family home when it was light outside, but that it was dark now.[1] C.S. also explained that he had been left home alone many times before and that he usually just found a friend to play with outside.

Later that same evening, C.S. was taken to the emergency room at Marion General Hospital by the caseworker when it was discovered that he had tried to put chips and bologna in his feeding tube earlier that day because he was so hungry. After

[1] It was later determined that the Marion Police Department had encountered Mother earlier the same day when Mother, who appeared to be intoxicated, was observed breaking a window in an apartment building. After being questioned by police officers, Mother requested to be and was taken to a friend's apartment. At the time of this incident, the police officers were unaware that C.S. had been left home alone.

several attempts by hospital personnel to flush the blocked feeding tube, an orange, grease-like substance began flowing out of the tube. Hospital personnel were never able to determine what the orange substance was. Eventually, C.S., who was complaining of stomach pain in the area where the tube was located, was admitted to the hospital due to the poor condition of his feeding tube. Mother contacted the police around eleven o'clock the following morning after being told by a neighbor that C.S. had been removed from the home by the authorities. Father was incarcerated at the time of C.S.'s removal from Mother's home.

On June 9, 2004, the GCDCS filed a petition alleging C.S. was a child in need of services ("CHINS"). At the time, C.S. was still in the hospital. The CHINS petition identified Father as C.S.'s alleged biological father, and a copy of the CHINS petition was mailed to Father at the Grant County Jail. Father was also sent, via certified mail, notification of the fact-finding hearing on the CHINS petition; however, Father did not attend the hearing. Mother admitted to the allegations contained in the CHINS petition, and on December 16, 2004, the trial court issued an order adjudicating C.S. to be a CHINS. The trial court's order further instructed that C.S. be made a ward of the GCDCS and that he be placed in foster care.

On January 27, 2005, the trial court issued a dispositional order requiring Mother to participate in a variety of services, including drug and alcohol rehabilitation, in order to achieve reunification with C.S. Mother initially participated in services, and C.S. was temporarily returned to her care in August 2005. However, in March 2006, C.S. was

again removed from Mother's care and placed in foster care, where he remained until the termination hearing.

Father, who has spent most of his adult life in jail, remained incarcerated from the time of C.S.'s initial removal until November 2005. Upon his release from jail, the only contact between Father and C.S. was several incidental encounters that occurred when Father was visiting Mother, who had regained custody of C.S. during the first four months following Father's release. During these encounters, Father never presented himself to C.S. as his father. Father also never communicated with the GCDCS or participated in services.

In December 2006, Father was arrested on several new criminal charges including three counts of robbery, resisting law enforcement with a vehicle, criminal mischief, and being a habitual offender. Father was eventually sentenced to eighteen years imprisonment with sixteen years executed. Father has remained incarcerated since his December 2006 arrest.

Notwithstanding the fact Father was provided with notice of all of the CHINS proceedings while incarcerated, Father did not attend or request to attend a single hearing. Father also did not contact either the GCDCS or the trial court throughout the duration of the CHINS case. In addition, although aware of Father's alleged paternity of C.S. and C.S.'s placement in foster care, none of Father's relatives contacted the GCDCS nor requested custody of C.S. during the CHINS case.

On September 13, 2006, the GCDCS filed a petition for the involuntary termination of both Mother's and Father's parental rights to C.S. As a result of another

proceeding filed by the Child Support Division of the Grant County Prosecutor's Office, the trial court entered an order formally establishing Father's paternity of C.S. On July 10, 2007, Mother, who had been unable to overcome her addiction to alcohol and illegal drugs, signed a consent form for the voluntary termination of her parental rights to C.S. Following an evidentiary hearing, the trial court accepted Mother's voluntary relinquishment of parental rights and issued an order terminating her parental rights to C.S. on July 12, 2007. Mother does not participate in this appeal.

Father made his first appearance before the trial court in this matter at the hearing held on July 12, 2007. At that time, Father requested that he be appointed counsel for the pending termination proceeding. The trial court granted Father's request, and a fact-finding hearing on the termination petition as to Father commenced on February 14, 2008.

Father appeared in person and was represented by counsel at the evidentiary hearing. Father testified that although his paternity of C.S. was not formally established until an April 2007 court order, Mother had informed him that he was C.S.'s father when C.S. was born in 1998. Father admitted, however, that he had never informed C.S. that he was his father, had never lived with C.S., had never paid child support for C.S., and, due to his continuing incarceration, had not seen C.S. for several years. Father also admitted to having a significant criminal history and informed the court that his current projected release date was December 29, 2014. C.S. will be sixteen years old on that date.

GCDCS case manager Peggy Bradley also testified at the termination hearing. When questioned as to whether the GCDCS ever considered placing C.S. with his relatives, Case Manager Bradley answered in the negative, stating she had never been informed of or contacted by any family members interested in caring for C.S. until after the commencement of the termination proceedings, when she was contacted by Father's attorney. Case Manager Bradley further explained that upon learning that Father wanted the GCDCS to contact his mother and step-father (collectively, "the grandparents") to see if they would be interested in obtaining custody of C.S., she sent a letter to the grandparents on January 4, 2008. Approximately one month later, the grandparents left Case Manager Bradley a voicemail message with three return telephone numbers. Case Manager Bradley attempted to contact the grandparents at all three numbers, but she was unsuccessful and had to leave voice messages. Two weeks later, Case Manager Bradley received another voicemail message. This message was from Father's sister, Mia Burney, who also left three return telephone numbers. Case Manager Bradley attempted to contact Burney at all three numbers but was again unsuccessful and was forced to leave voice messages. Case Manager Bradley never heard from Burney or any other family member again.

At the conclusion of the February 2008 evidentiary hearing, the trial court granted Father's motion to continue in order to allow Father an opportunity to make arrangements for several of his family members to appear in court and to testify. The next evidentiary hearing was held on March 20, 2008. Burney appeared and testified that she would be willing to take custody of C.S. At the conclusion of the March 2008

hearing, the trial court took the matter under advisement. On June 26, 2008, the trial court issued its judgment terminating Father's parental rights to C.S. Father now appeals.

Discussion and Decision

Initially, we note that this court has long had a highly deferential standard of review in cases concerning the termination of parental rights. *In re K.S.*, 750 N.E.2d 832, 836 (Ind. Ct. App. 2001). Thus, when reviewing the termination of parental rights, we will not reweigh the evidence or judge the credibility of the witnesses. *In re D.D.*, 804 N.E.2d 258, 264 (Ind. Ct. App. 2004), *trans. denied*. Instead, we consider only the evidence and reasonable inferences that are most favorable to the judgment. *Id.*

In deference to the trial court's unique position to assess the evidence, we will set aside the trial court's judgment terminating a parent-child relationship only if it is clearly erroneous. *In re L.S.*, 717 N.E.2d 204, 208 (Ind. Ct. App. 1999), *trans. denied*. A judgment is clearly erroneous only if the findings do not support the trial court's conclusions or if the conclusions do not support the judgment thereon. *Quillen v. Quillen*, 671 N.E.2d 98, 102 (Ind. 1996). If the evidence and inferences support the trial court's decision, we must affirm. *L.S.*, 717 N.E.2d at 208.

Here, at the request of the parties, the trial court made specific findings and conclusions in its order terminating Father's parental rights. Where the trial court enters specific findings and conclusions thereon, we apply a two-tiered standard of review. *Bester v. Lake County Office of Family & Children*, 839 N.E.2d 143, 147 (Ind. 2005).

First, we determine whether the evidence supports the findings, and second, we determine whether the findings support the judgment. *Id.*

"The traditional right of parents to establish a home and raise their children is protected by the Fourteenth Amendment of the United States Constitution." *In re M.B.*, 666 N.E.2d 73, 76 (Ind. Ct. App. 1996), *trans. denied*. However, a trial court must subordinate the interests of parents to those of the child when evaluating the circumstances surrounding a termination. *K.S.*, 750 N.E.2d at 837. Termination of a parent-child relationship is proper when a child's emotional and physical development is threatened. *Id.* Although the right to raise one's own child should not be terminated solely because there is a better home available for the child, parental rights may be terminated when a parent is unable or unwilling to meet his or her parental responsibilities. *Id.* at 836.

In order to terminate a parent-child relationship, the State is required to allege that:

> (A) one (1) of the following exists:
> (i) the child has been removed from the parent for at least six (6) months under a dispositional decree;
>
> * * *
>
> (B) there is a reasonable probability that:
> (i) the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied; or
> (ii) the continuation of the parent-child relationship poses a threat to the well-being of the child;
>
> (C) termination is in the best interests of the child; and

(D) there is a satisfactory plan for the care and treatment of the child.

Ind. Code § 31-35-2-4(b)(2). The State must establish each of these allegations by clear and convincing evidence. *Egly v. Blackford County Dep't of Pub. Welfare*, 592 N.E.2d 1232, 1234 (Ind. 1992). "[I]f the court finds that the allegations in a petition described in section 4 of this chapter are true, the court shall terminate the parent-child relationship." Ind. Code § 31-35-2-8.

Father does not challenge the trial court's findings pertaining to subsections (A) and (B) of Indiana Code § 31-35-2-4(b)(2). He does, however, challenge the sufficiency of the evidence supporting the remaining elements, namely, that the GCDCS failed to prove that termination of Father's parental rights is in C.S.'s best interests and that it had a satisfactory plan for the care and treatment of C.S.

I. Best Interests

In support of his argument that the trial court erred in finding that termination of Father's parental rights is in C.S.'s best interests, Father claims the trial court's order regarding C.S.'s "purported need for permanency ignores the fact that such permanency could be established through [Father's] family." Appellant's Br. p. 5. Father further asserts that he "has a right to have care and custody of his child through a member of his family who is willing and capable of providing care for [C.S.][,]" and that, in failing to stay the termination proceedings to allow his sister sufficient time to qualify to obtain custody of C.S., the trial court committed reversible error. *Id.* We disagree.

The purpose of terminating parental rights is not to punish the parent but to protect the child. *K.S.*, 750 N.E.2d at 836. However, the trial court must subordinate

the interests of the parent to those of the child when determining what course of action is in the child's best interests. *McBride v. Monroe County Office of Family & Children*, 798 N.E.2d 185, 203 (Ind. Ct. App. 2003). In addition, we are mindful that when determining what is in a child's best interests, the court is required to look beyond the factors identified by the Department of Child Services and to look to the totality of the evidence. *Id.*

In determining that the termination of Father's parental rights to C.S. is in C.S.'s best interests, the trial court made the following pertinent findings:

> 7.
>
> * * *
>
> g. Father openly admitted that his criminal history was a direct result of his substance abuse, i.e. Father engages in criminal activity to pay for his drug habit. Father stated he first used marijuana at the age of seven (7) and later started to use cocaine in his teens. Father continued to use cocaine during periods of freedom between incarcerations. Father has had substance abuse treatment while incarcerated, but without success. . . .
>
> h. Despite being served with a notice, including a copy of the CHINS petition regarding [C.S.], Father never appeared in any fashion in the underlying CHINS proceeding. . . . Although Father was out of jail at that time, he did not appear for the initial hearing [on the termination petition]. In fact, Father did not appear until July 12, 2007[,] when he appeared in the custody of the Grant County Sheriff . . . .
>
> i. The most that Father could offer [C.S.] over the next six years is letters and telephone contact from prison and, possibly, visits at the prison. Father believes that this contact would allow [C.S.] to at least know his family and for Father to teach [C.S.] not to ma[k]e the mistakes which Father has admittedly made in his own life.
>
> 8. GAL Don Gallaway testified that it would be in [C.S.'s] best interests for the Court to terminate Father's parental rights and seek an adoptive family unrelated to Father. Mr. Galloway believes that [C.S.] needs a "clean break" away from those involved in his past.

> 9. The Court was struck by Father's intelligence, ability to express himself, and awareness of events around him. However, Father's actions speak louder than his words. Father has lived his life to date without any consideration for [C.S.] and [C.S.'s] needs. Although Father now expressed his desire to have some role in [C.S.'s] life, he wholly failed to act as a father when he had had opportunities to do so over the years.
>
> 10. Father's sister Mia Burney testified that she would be interested in placement of [C.S.] with her and her boyfriend. It appears from the evidence that Ms. Burney is a stranger to [C.S.]. Ms. Burney's testimony did not satisfy this Court that it would be in [C.S.'s] best interests to deny Grant County DCS's request to terminate the parental rights, or to stay the proceedings. The Court finds that it is not in [C.S.'s] best interests to delay termination proceedings any longer.
>
> 11. GAL Galloway testified that in his investigation of the matter[,] he spoke with [C.S.'s] therapist, foster mother, and [C.S.] about Father and Father's family. The therapist and foster mother indicated that [C.S.] did not talk about his Father. [C.S.] did not mention his Father on his own. When questioned directly about [Father], [C.S.] "thought" his name was Chris. [C.S.] made it clear that he did not want to live with Father's family.
>
> 12. Termination is in the best interests of [C.S.] . . . . [C.S.'s] need for permanency is extreme. [C.S.] is in need of stability and permanency in his life and long-term foster care, even in an excellent home, cannot provide such permanency. The current foster family is not available as a permanent family and [the GCDCS] will need to look for an adoptive family for [C.S.]. [C.S.'s] [GCDCS] case manager, therapist, and CASA all agree that [C.S.'s] best interests would be served by terminating his relationship with [Father].

Appellant's App. p. 11-12. Our review of the record reveals that these findings are supported by the evidence.

During the evidentiary hearings on the termination petition, Father testified that he was incarcerated when C.S. was born and remained in jail until C.S. was approximately one-and-a-half years old. When asked when he first saw C.S., Father replied, "To be honest, I can't even recall." Tr. p. 30. Father also stated that even

though he received notice of the initial CHINS hearing in 2004, as well as for later review hearings, he never attended any of the CHINS proceedings, either while incarcerated or during the year that he was not in jail. When asked, "During the times you've been incarcerated, have you ever written letters to [C.S.], sent him pictures, anything of that nature[,]" Father responded, "No." *Id.* at 32. Father further admitted that he had "never acknowledged to [C.S.] that [he was] his dad[,]" and that C.S. was not bonded to him. *Id.* at 32, 58. Finally, when asked, "What can you offer [C.S.] in the next eight . . . years[,]" the following exchange took place:

> [Father]: I really can't offer [C.S.] too much. Anything outside of, outside of correspondence I can't. . . .
>
> [Counsel]: So someone else is going to have to raise him. Right?
>
> [Father]: Yes.

Id. at 47.

Father's sister, Burney, informed the court that she had known C.S. since his birth because Mother had been "best friends" with Burney's younger sister, and the two women, who had been pregnant at the same time, had lived together during their pregnancies. *Id.* at 128. When questioned as to how long she had known C.S. was her biological nephew, Burney admitted that she had known for approximately two or three years. She further admitted that although she knew C.S. had been placed in foster care, she did not initiate any contact with the GCDCS until late December 2007. Burney testified that it had been at least three years since she had last seen C.S.

Case Manager Bradley testified that Mother had identified Father as C.S.'s biological father "from the beginning of the CHINS proceeding[,]" and, consequently, had sent notification of every hearing to Father. *Id.* at 67. Nevertheless, Case Manager Bradley stated that Father had never contacted her.

In recommending the termination of Father's parental rights, Case Manager Bradley indicated that she believed C.S. was "capable of attaching and bonding." *Id.* at 73. However, Case Manager Bradley stated, "At this point in time[,] I believe it's very critical that we find a permanent home for [C.S.] to give him any chance at all of having a life." *Id.* Case Manager Bradley went on to explain that it had been her experience that when children remain in foster care for a number of years they begin "acting out such as [C.S. is] doing. The older they get, I have a fear of them going into drugs, the alcohol, because they feel like there's no one out there for them. They're a misfit. They have no family." *Id.* Although Case Manager Bradley believed the GCDCS could find an adoptive home for C.S., she stated that it would probably take a while to find the right family. Consequently, Case Manager Bradley felt it was important to proceed with the termination proceedings so that they could begin the adoption process as soon as possible. When asked whether she thought it was in C.S.'s best interests to temporarily delay the termination proceedings in order to see if a relative placement could be made, Case Manager Bradley answered in the negative, stating she felt it was "critical" that they "do something now." *Id.* at 84.

Similarly, C.S.'s court-appointed Guardian Ad Litem, Don Galloway, also recommended that Father's parental rights be terminated. In so doing, GAL Galloway

stated, "[C.S.] [has] had very little to do[,] if anything[,] with his father at least to the degree that there was a bond there[,] and so it's my recommendation that his father's parental rights be terminated." *Id.* at 94. GAL Galloway further acknowledged that "structure and stability" is critical for C.S.'s future development, *see id.* at 96, and explained:

> [S]tability . . . is first and foremost what [C.S.] needs. . . . He needs to know where he's going to lay his head down at night. He needs to know where he's going to wake up and he needs to know who's going to be there for him because throughout his life[,] [C.S.] has not had the ability to know who is going to be in his life for what period of time. He's been in and out of foster care. He's been in and out of his mother's care[,] and [C.S.] has a very difficult time adjusting to things. . . . [T]hat's . . . one of the reasons why I believe terminating [Father's] rights would, would be in [C.S.'s] best interests . . . .

Id. at 95. When questioned during cross-examination as to whether the fact that there were family members who were now interested in obtaining custody of C.S. had caused him to change his recommendation for termination, GAL Galloway responded:

> No, it did not. In fact, it only made me believe that my recommendation is . . . even more so in [C.S.'s] best interests because again, it's been at least two years since [C.S. has] had any contact with these individuals. . . . [S]o to ask [C.S.] to re-connect or to bond with those family members I believe is going to be asking way too much of this child. He needs to move on. He needs to know that there's going to be a sense of, of stability in his life and I think to ask him to go backwards is, is going to severely damage his progress that he's made . . . .

Id. at 101-02. GAL Galloway went on to explain that he had "repeatedly asked [C.S.] in various ways [and] in different environments" whether he would like to live with Father's relatives and that C.S. had "[e]mphatically and consistently said no." *Id.* at 157.

Based on the totality of the evidence, including Father's unresolved addiction to illegal drugs and continuing incarceration with an earliest possible release date of December 2014, coupled with Case Manager Bradley's and GAL Galloway's testimony regarding C.S.'s critical and urgent need for stability and permanency in his life, we conclude that there is ample evidence to support the trial court's findings and its ultimate determination that termination of Father's parental rights is in C.S.'s best interests. *See In re A.H.*, 832 N.E.2d 563, 570 (Ind. Ct. App. 2005) (concluding that historic inability to provide adequate housing, stability, and supervision, coupled with current inability to do the same, supports finding that continuation of the parent-child relationship is contrary to the child's best interests); *McBride*, 798 N.E.2d at 203 (stating that testimony of GAL regarding child's need for permanency supports finding that termination is in child's best interests).

Father's arguments to the contrary, including his assertions that the trial court ignored the fact that permanency for C.S. might possibly be achieved through Father's family and that the court committed reversible error in failing to delay the termination proceedings in order to allow Burney sufficient time to attempt to gain custody of C.S., amount to nothing more than an impermissible invitation to reweigh the evidence. It is clear from the trial court's findings that the court considered, but then rejected, Father's contention that C.S.'s interests would be best served through a placement with Burney, rather than through the termination of Father's parental rights and a subsequent adoption. We may not reevaluate the evidence, nor substitute our judgment for that of the trial court. *D.D.*, 804 N.E.2d at 264. Moreover, we are unwilling to put C.S. "on a

shelf," as Father would have us do, and force C.S. to wait until Father is released from prison and able to demonstrate that he is capable of properly caring for C.S. The approximate four years C.S. has already waited is long enough. *In re Campbell*, 534 N.E.2d 273, 275 (Ind. Ct. App. 1989) (stating the court was unwilling to put child "on a shelf" until her parents were capable of caring for her and that two years was long enough to wait).

II. Satisfactory Plan

We now turn to Father's contention that the GCDCS failed to prove it had a satisfactory plan for the care and treatment of C.S. In making this assertion, Father's numerous allegations of error can be fairly summarized as follows: (1) the GCDCS failed to file a satisfactory case plan for the care and treatment of C.S. according to Indiana Code § 31-34-15-4; (2) the trial court erred in refusing to allow C.S. to be placed with a family member in light of the fact Indiana's CHINS statutes are "replete with references" to the importance of "giving preference to family members" when making placement decisions in conjunction with the fact there was never a finding that reasonable efforts for family preservation or reunification are not required pursuant to Indiana Code § 31-35-2-4.5; and (3) the GCDCS's plan for adoption is unsatisfactory because C.S.'s current foster parents are unable to adopt him and C.S.'s behavioral difficulties will likely "impact the ability of [the GCDCS] to obtain a family willing to adopt [C.S.]." Appellant's Br. p. 14-15.

Initially, we observe that Father improperly relies upon various sections of Indiana Code chapter 31-34-15 in arguing that he is entitled to reversal because the

GCDCS failed to file a written case plan detailing its post-termination plan of care for C.S. and because the trial court declined to delay the termination proceedings and place C.S. with Burney. Indiana Code chapter 31-34-15 governs case plans in CHINS proceedings, not termination proceedings. *See* Ind. Code ch. 31-34-15; *In re T.F.*, 743 N.E.2d 766, 769 (Ind. Ct. App. 2001), *trans. denied*. Although we acknowledge that CHINS and termination statutes are not independent of each other and that termination proceedings are governed by various CHINS procedures, Indiana Code § 31-35-2-2 clearly states that termination proceedings "are distinct from CHINS proceedings." Ind. Code § 31-35-2-2; *see also T.F.*, 743 N.E.2d at 770-71. In addition, Father's argument that "[i]t is well[-]established that a requirement for filing a Petition for Involuntary Termination of Parental Rights is that 'reasonable efforts for family preservation or reunification are not required[,]'" is a misstatement of the law. Appellant's Br. p. 13.

Indiana Code § 31-35-2-4.5 provides that a petition for the involuntary termination of parental rights *shall* be filed in the following *two* situations: (1) when a trial court makes a determination that no reasonable efforts for family preservation or reunification with respect to a child in need of services are required, *or* (2) when a child in need of services has been removed from the home for at least fifteen of the most recent twenty-two months. Thus, the trial court is not required to make a finding that "reasonable efforts for family preservation or reunification are not required" in every termination case, as Father suggests. Moreover, the GCDCS correctly points out that this statute does not apply in the instant case because the GCDCS filed its involuntary termination petition pursuant to Indiana Code § 31-35-2-4, not § 4.5. *See, e.g.*, *Everhart*

v. Scott County Office of Family & Children, 779 N.E.2d 1225, 1229 (Ind. Ct. App. 2002) (stating that § 4.5 does not apply when a petition to terminate is filed pursuant to § 4 because the child has been removed from the parent for at least six months pursuant to a dispositional decree), *trans. denied*.

Indiana's involuntary termination statutes found in Indiana Code article 31-35 do not require a County Department of Child Services to file a written case plan for the future care and treatment of a child when it seeks the involuntary termination of a parent-child relationship, as Father alleges. Rather, Indiana's termination statutes simply provide that a County Department of Child Services (here, the GCDCS) must allege and prove that there is a "satisfactory plan for the care and treatment of the child" before termination of parental rights can occur. *See* Ind. Code §§ 31-35-2-4(b)(2)(D), -8. This Court has explained that the plan for post-termination care need not be detailed, "so long as it offers a general sense of the direction in which the child will be going after the parent-child relationship is terminated." *Lang v. Starke County Office of Family & Children*, 861 N.E.2d 366, 374 (Ind. Ct. App. 2007), *trans denied*.

Here, Case Manager Bradley testified that if the trial court granted the GCDCS's petition to terminate Father's parental rights to C.S., its plan for C.S.'s care was for C.S., who was diagnosed with fetal alcohol syndrome, adjustment disorder, and possibly attention deficit hyperactivity disorder, to continue to take his prescribed medications, attend weekly individual counseling sessions, and live with his current foster family until a suitable adoptive family could be found. By informing the trial court that it intended to place C.S. up for adoption, the GCDCS properly provided the trial court

with a general sense and direction as to its long-term plan of care for C.S. As such, the GCDCS's plan satisfied subsection (D) of Indiana Code § 31-35-2-4(b)(2). *See Castro v. State Office of Family & Children*, 842 N.E.2d 367, 378 (Ind. Ct. App. 2006) (stating adoption is generally a satisfactory plan for the care and treatment of children after termination of parental rights), *trans. denied*; *see also Page v. Greene County Dep't of Welfare*, 564 N.E.2d 956, 961 (Ind. Ct. App. 1991) (stating the welfare department is not required to completely detail the child's future, but only to point out in a general sense the direction of its plan).

Conclusion

A thorough review of the record reveals that the trial court's findings that termination of Father's parental rights is in C.S.'s best interests and that the GCDCS has a satisfactory plan for the care and treatment of C.S. are supported by clear and convincing evidence. These findings, in turn, support the court's ultimate decision to terminate Father's parental rights to C.S. Accordingly, the trial court's judgment is not clearly erroneous.

Affirmed.

RILEY, J., and DARDEN, J., concur.